



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

The Planning Act 2008

AQUIND INTERCONNECTOR

Examining Authority's Report
of Findings and Conclusions

and

Recommendation to the Secretary of State for
Business, Energy and Industrial Strategy

Examining Authority

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OVERVIEW

File Ref: EN020022

The application, dated 14 November 2019, was made under section 37 of the Planning Act 2008, and was received in full by The Planning Inspectorate on 14 November 2019.

The applicant is AQUIND Limited.

The application was accepted for examination on 12 December 2019.

The examination of the application began on 8 September 2020 and was completed on 8 March 2021.

The AQUIND Interconnector project proposes the construction, operation, maintenance and decommissioning of a 2,000MW bi-directional electrical power transmission link (an interconnector) between Normandy in France and Lovedean in Hampshire.

In the UK, the Proposed Development comprises the following elements:

- high voltage direct current (HVDC) marine cables from the boundary of the UK Exclusive Economic Zone to a landfall in the UK at Eastney in Portsmouth;
- jointing of the HVDC marine cables and HVDC onshore cables at the landfall;
- HVDC onshore cables from the landfall to Lovedean;
- a converter station at Lovedean, with a new access road of up to 1.2km in length;
- an extension to the existing substation at Lovedean;
- high voltage alternating current (HVAC) onshore cables and associated infrastructure connecting the Converter Station to the UK grid at the Lovedean Substation;
- fibre-optic cables installed with the HVDC and HVAC cables;
- two optical regeneration stations for signal amplification at the landfall and two telecommunications buildings at the proposed converter station site;
- various landscape and temporary construction and access works.

Summary of Recommendation:

The Examining Authority recommends that the Secretary of State should make the Order in the form attached.

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5. FINDINGS AND CONCLUSIONS IN RELATION TO THE PRINCIPLE OF, AND NEED FOR THE PROPOSED DEVELOPMENT, AND CONSIDERATION OF ALTERNATIVES

5.1. INTRODUCTION

- 5.1.1. This Chapter looks at the principle of, and the need for the Proposed Development, and goes on to examine the Applicant's consideration of alternatives.
- 5.1.2. The Proposed Development consists of the AQUIND Interconnector, a project in the field of energy, though not of a type that falls into the section (s)14 categories of the Planning Act 2008 (the PA2008). It also includes elements that relate to commercial telecommunications. The Proposed Development was dealt with as an NSIP by virtue of a s35 Direction by the Secretary of State [APP-111] that responded to a request for such a Direction from the Applicant [AS-036].
- 5.1.3. This Chapter is in three parts:
- the need for the electricity interconnector;
 - the need for the commercial use of the fibre-optic cables;
 - alternatives to the Proposed Development.

5.2. THE PRINCIPLE OF, AND NEED FOR THE ELECTRICITY INTERCONNECTOR

Introduction

- 5.2.1. This section focuses on the need for the electricity interconnector. It considers the general policy position of the UK Government in relation to energy, and policy matters relating to interconnection between the UK and other countries and electricity markets.

Policy considerations

- 5.2.2. The s35 Direction [APP-111] directs that the Overarching National Policy Statement for Energy (NPS EN-1) has effect for the Proposed Development.
- 5.2.3. The need for new energy Nationally Significant Infrastructure Projects is set out in Part 3 of NPS EN-1. This confirms that the Secretary of State must assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that there is a demonstrated need for them. The Government's wider objectives for energy infrastructure include contributing to sustainable development, to address climate change, and to ensure the well-being of society and the

economy. By way of example, it is recognised that the availability of appropriate infrastructure supports the efficient working of the market, ensuring competitive prices for consumers.

- 5.2.4. Paragraph 3.3.1 notes that electricity meets a significant proportion of the UK's energy needs and that reliance on it is likely to increase. It is critical that the UK continues to have reliable supplies of electricity through the transition to a low carbon economy. There is a need to meet demand from a mix of technologies, including a greater proportion of low carbon generation, to reduce reliance on one type of technology or fuel.
- 5.2.5. Part 4 sets out assessment principles. Given the urgent need for infrastructure of the types covered by the energy NPSs, consideration of applications for development consent should start with a presumption in favour of granting consent unless more specific and relevant policies in the NPSs indicate that consent should be refused.
- 5.2.6. The Energy White Paper, *Powering our Net Zero Future* (Secretary of State for Business Energy and Industrial Strategy, 2020) (the Energy White Paper) published during the Examination alongside the report *Impact of Interconnectors on Decarbonisation*, confirms the Government's commitment to greater interconnection with the European energy market and to increase the supply of electricity via this method of transfer. These documents indicate that the withdrawal of the UK from the European Union (EU) is not a barrier to the pursuit of interconnection projects.

The Applicant's case

- 5.2.7. The Applicant's principal submissions are set out in:
- Needs and Benefits Report [APP-115];
 - Environmental Statement (ES) Chapter 2 Consideration of alternatives [APP-117];
 - ES Chapter 3 Description of the Proposed Development [APP-118];
 - ES Chapter 28 Carbon and climate change [APP-143].
- 5.2.8. Documents relating to need subsequently submitted into the Examination by the Applicant include:
- Addendums to the Needs and Benefits Report ([REP1-136] and [REP7-064]);
 - Applicant's written summaries of oral submissions at Issue Specific Hearings 1, 2 and 3, and Compulsory Acquisition Hearings 1 and 2 [REP6-062];
 - Applicant's responses to Examining Authority's (ExA) further written questions [REP7-038];
 - Applicant's Written Summary of the Oral Case at Open Floor Hearing 3 and Compulsory Acquisition Hearing 3 [REP8-056];

- Applicant's Post-Hearing Notes [REP8-057];
- Applicant's Post-Hearing Notes Appendix 6 Technical Note – Consideration of Alternatives [REP8-063];
- Applicants response to Deadline 7c submissions [REP8-064].

- 5.2.9. The Applicant explains that the current interconnector capacity between the UK and neighbouring European nations is approximately 4 Gigawatts (GW). The National Grid and the Office of Gas and Electricity Markets (Ofgem) report that greater levels of interconnection would be socially beneficial. There is a residual gap to meeting the EU-wide targets that could be bridged by the AQUIND Interconnector [APP-115].
- 5.2.10. The Applicant submits that electricity interconnectors contribute to the security and flexibility of the electricity system, enabling cheaper sources of generation to be utilised and shared across borders, thus reducing the costs of meeting electricity demand. The AQUIND interconnector could provide an additional 2,000 Megawatts (MW) of interconnection between France and Great Britain, transmitting up to 16,000,000 Megawatt hours (MWhrs) of electricity per year, which equates to approximately 5% of the UK's current annual electricity consumption.
- 5.2.11. The Applicant suggests that electricity interconnectors, and the AQUIND Interconnector specifically, are essential to achieving the three frequently conflicting goals of energy policy, by reducing the total cost of generation, by helping renewables integration and by improving the security of energy supply. The Applicant therefore contends that the Proposed Development is needed to meet the requirement for at least 113GW of electricity generating capacity by 2025⁷ and to increase competition in the UK energy market, making energy more affordable. The Applicant asserts that the interconnector would help integrate renewable energy sources into the domestic markets of the UK and France [APP-115].
- 5.2.12. Finally, the Applicant draws on NPS EN-1, the *Clean Growth Strategy* (published in 2017 by the Department of Business, Energy and Industrial Strategy), the *National Infrastructure Assessment* (published in 2018 by the National Infrastructure Commission), and the *National Energy and Climate Plan* (published in 2019 by the Department of Business, Energy and Industrial Strategy) to recognise that interconnection is likely to become increasingly important and to offer a range of benefits.
- 5.2.13. The Applicant's response [REP7-038] to the ExA's further written questions (ExQ2) included direct reference to the Energy White Paper and *Impact of Interconnectors on Decarbonisation* (December 2020). It quoted from the Energy White Paper:

'...Government will work with Ofgem, developers and European partners to realise at least 18GW of interconnector capacity by 2030 (from the current capacity of 5GW).'

⁷ Paragraph 3.3.2, NPS EN-1

- 5.2.14. The Needs and Benefits Report Addendum [REP7-064] goes into further detail on the role of interconnectors, with the Executive Summary pointing to the importance of interconnectors for the energy mix post-Brexit.

UK energy markets – grid connection and decentralisation

- 5.2.15. The Needs and Benefits Statement Addendum [REP7-064] confirmed that significant progress has been made in recent years in the UK in reducing carbon emissions from power generation. Renewable generation has expanded, and fossil fuel generation has contracted. NPS EN-1 predicts increasing demand for electricity as significant sectors of industry, housing and transport move towards electrification. To ensure security of supply, sufficient electricity generating capacity needs to be available to meet maximum peak demand with spare capacity to accommodate unexpectedly high demand or plant failures. Power demand and supply also needs to be balanced to maintain voltage levels and system frequency.
- 5.2.16. At paragraph 3.3.29, NPS EN-1 explains that the Government does not believe that decentralised and community energy systems are likely to lead to significant replacement of larger-scale infrastructure. Interconnection of large-scale, centralised electricity generating facilities through a high voltage transmission system enables the pooling of both generation and demand, which in turn offers economic and other benefits. This includes more efficient bulk transfer of power that enables surplus generation capacity in one area to be used to cover shortfalls elsewhere.
- 5.2.17. NPS EN-1 paragraph 4.9.1 notes that grid connection is an important factor in an energy project, and the availability of efficient grid connections allows projects to come forward at lower costs to consumers. The Applicant submits that the location of the Proposed Development has the strong advantage of a secured, adjacent grid connection facility.

Planning issues

Relevant Representations

- 5.2.18. The need for the Proposed Development was questioned by Interested Parties (IPs) through Relevant Representations (RRs), which raised, *inter alia*, the following issues:
- the need to rely on Europe for energy after Brexit [RR-046];
 - whether the source of imported energy could be verified as being green or renewable [RR-010];
 - no benefits to the local community [RR-043].
- 5.2.19. The Applicant's response was to affirm that the national need for interconnectors is not diminished in any way by the UK's departure from the European Union [REP1-160]. The Applicant later confirmed that the Trade and Cooperation Agreement (TCA) between the United Kingdom

and the EU commits both parties to facilitating the timely development and interoperability of energy infrastructure connecting their respective territories (i.e. interconnectors) [AS-069].

- 5.2.20. In respect of benefits to the community, the Applicant considered that a compensation or community-based fund was not required to mitigate the effects of the Proposed Development, and that the Needs and Benefits Report [APP-115] and its Addendums made clear how the public would benefit from electricity interconnection [REP1-160]. Development Consent Obligations submitted by the Applicant at Deadline 8 are discussed in the relevant Chapters later in this Report.

Local Impact Reports

- 5.2.21. In their Local Impact Reports (LIRs), East Hampshire District Council, Portsmouth City Council and the South Downs National Park Authority, whilst not supporting the application, did not directly challenge or question the need for the Proposed Development or the relevant provisions of NPS EN-1.
- 5.2.22. Havant Borough Council [REP1-169] and Hampshire County Council [REP1-167] noted the benefits that could arise from the Proposed Development, including the potential for improved resilience of energy supply for the United Kingdom and France, increased competition in the energy market and the scope to continue to reduce the reliance on non-renewable, carbon-intensive sources of energy supply.
- 5.2.23. Winchester City Council [REP1-183] questioned whether the net carbon benefit figure was reliable, as it appeared to assume continued nuclear generation in France and ongoing displacement of fossil fuel generation in the UK. It noted that the balancing exercise regarding the national need rests with the Secretary of State.

Other representations to the Examination

- 5.2.24. Susan Caffrey, an IP, highlighted a speech by the Prime Minister that committed to future energy production by wind farms [REP5-148]. The Applicant noted in response that support for more electricity interconnector projects was set out in Government statements, as summarised in the Needs and Benefits Report Addendum [REP7-064].
- 5.2.25. Viola Langley, an IP and on behalf of the 'Let's Stop Aquind Group', queried some of the Applicant's assertions, including whether the target of net zero by 2050 increases electricity demand and what regulatory powers would be employed to ensure costs to consumers are lower [REP7-126]. The Applicant's response was that the first point represented a view in the Energy White Paper, and that Ofgem has the remit of protecting UK consumers and delivering a net zero economy at lowest costs to consumers [REP7c-012].
- 5.2.26. Some IPs raised issues about need and the principle of development at Open Floor Hearings 1 and 2 ([EV-014] to [EV-019]).

- 5.2.27. The ExA posed written questions to the Applicant and local authorities seeking information about the applicability of key Government policy and guidance [PD-031]. There were mixed views from IPs as to the weight to be given to each document, though the content in itself was not raised as an issue (for example, Hampshire County Council [REP7-084]).

ExA response

- 5.2.28. Part 3 of NPS EN-1 notes that the UK needs all types of energy infrastructure in order to achieve energy security and directs the ExA to assess an energy application on the basis that the Government has demonstrated a need for those types of infrastructure. Substantial weight should be given to the contribution that projects make towards meeting that need.
- 5.2.29. The Applicant has set out a compelling case for the Proposed Development in the public interest in its Needs and Benefits Report [APP-115] and its Addenda [REP1-136] and [REP7-064]. The 2GW capacity of the AQUIND Interconnector would contribute towards the desired increase in interconnection capacity expressed by the Government in the Energy White Paper and by Ofgem [APP-115].
- 5.2.30. Although a number of representations (for example, [REP7-126]) suggest that the Proposed Development is not needed, it is the ExA's view, taking the totality of Government policy and guidance, that there remains a strong need for a mix of energy projects and that mix should include a greater capacity for interconnection, as confirmed as being in the region of 18GW in the Energy White Paper.

Conclusions on the electricity interconnector

- 5.2.31. There is no substantive evidence from any IPs that undermines the credibility of the Applicant's case nor that disproves the need for the Proposed Development. There are no matters that the ExA has found to be important or relevant to indicate against the applicability of the need case or the contribution the Proposed Development would make towards meeting that need.
- 5.2.32. In relation to electricity interconnection aspects, the ExA is satisfied that there is a demonstrated need for the Proposed Development in accordance with NPS EN-1.

5.3. THE PRINCIPLE OF, AND NEED FOR THE PROPOSED COMMERCIAL TELECOMMUNICATIONS DEVELOPMENT

Introduction

- 5.3.1. Fibre-optic cable would be laid in conjunction with the High Voltage Direct Current cables along the entire onshore and offshore route. The fibre-optic cable is an integral part of the operation of the Proposed Development as it provides the ability to monitor the electricity cables for

temperature and vibration, two indicators of a fault. The fibre-optic cable also permits direct telecommunications contact between the converter stations in the UK and France. In Chapter 3 of the ES [APP-118], the Applicant describes:

'the FOC will monitor the operational performance of the Marine Cables. Temperature and vibration monitoring will be undertaken to monitor the performance of the cable...'

- 5.3.2. An optical regeneration station is proposed to amplify and enhance the signals across the English Channel. This would be built where the cables make landfall on Portsea Island, and would comprise two buildings, each with a footprint of some 40m².
- 5.3.3. The Applicant noted that the industry standard fibre-optic cable bundle that would be used comprises 192 fibres, of which only 20% would be required to support the interconnector monitoring function, providing spare fibres as a contingency should a proportion fail during installation. Therefore, a surplus of 80% of fibres is said to be inherent in the design.
- 5.3.4. The Applicant proposes to utilise the surplus fibres for commercial telecommunications. To facilitate this, a separate compound is proposed near to, but outside, the security fence of the proposed converter station at Lovedean with two telecommunications buildings, each with a footprint of approximately 32m². In the absence of the commercial telecommunication proposal, the necessary equipment could be housed in the main control building at the converter station and this separate facility would not be required.
- 5.3.5. The Applicant estimated that two thirds of the footprint of the optical regeneration station at the landfall would be dedicated to commercial telecommunications.
- 5.3.6. The draft Development Consent Order (DCO) therefore seeks approval for the inclusion of the telecommunications buildings, the commercial use of the surplus capacity in the fibre-optic cable and part of the optical regeneration station for commercial telecommunications. During the Examination, it was confirmed that AQUIND Limited had applied for and obtained the status of a Code Operator under the Communications Act 2003.

Policy considerations

- 5.3.7. The Applicant specifically included the commercial use of the surplus fibre-optic cables in the description of the Proposed Development in its request for a s35 Direction [AS-036]. The s35 Direction from the Secretary of State for Business, Energy and Industrial Strategy [APP-111] directs that the Proposed Development and any development associated with it be treated as development for which development consent is required, and that NPS EN-1 should apply.
- 5.3.8. Therefore, while there are no provisions in National Policy Statements that apply to commercial telecommunications directly, NPS EN-1 applies